

REMARKS


This is a full and timely response to the outstanding Restriction Requirement mailed October 10, 2003. The Examiner has required the applicant to elect to prosecute one of three (3) groups of claims. In response, applicant hereby ~~elects~~ to prosecute Group I, corresponding to claims 1-16, **with traverse**.

As provided in 35 U.S.C. § 121, restriction to one of two or more claimed inventions is proper only if the inventions are "independent and distinct." In its discussion of the propriety of restrictions, MPEP § 803 further provides that if search and examination of two or more inventions can be made without "serious burden," the Examiner must examine them on the merits even if the claims are directed to distinct or independent inventions.

In the present case, Groups I-III, although not obvious in view of each other, are similar in subject matter. For this reason, a "serious" burden would not be imposed on the Examiner to examine two or more of the groups.

For the foregoing reasons, applicant traverses the Restriction Requirement.

Respectfully submitted,


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